

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 77-2 (as
amended)

Introduced by Council President Freeman at request of County Executive

Legislative Day No. 77-1

Date: January 4, 1977

AN ACT to authorize and empower Harford County, Maryland, to borrow funds for certain capital projects in the 1976-1977 Capital Budget, said borrowing to pledge the full faith and credit of Harford County, Maryland; to limit the purposes for which said funds may be used; to provide that within twelve months of the passage of this Act the County Council may issue and sell bonds to repay said loans and to finance other capital projects; and generally relating to the funding of capital projects in the 1976-1977 Capital Budget.

By the Council, January 4, 1977

Introduced, read first time, ordered posted and public hearing scheduled

on: February 1, 1977

at: 7:00 P.M.

By Order: Angela Maslowski, Secretary

PUBLIC HEARING

Having been posted and Notice of time and place of hearing and Title of Bill having been published according to the Charter, a public hearing was held on February 1, 1977 and concluded on February 1, 1977.

Angela Maslowski, Secretary

BILL NO.

77-2

AS AMENDED

1 WHEREAS, the County Executive has recommended that
2 Harford County, Maryland, borrow on its full faith and credit an
3 amount not exceeding Two Million Nine Hundred Five Thousand
4 Fifty-Two Dollars (\$2,905,052) in the aggregate from appropriate
5 commercial lending institutions in the State of Maryland, the
6 proceeds thereof to be used as follows:

7 a. An amount not exceeding One Million Three Hundred
8 Seventy-One Thousand Dollars (\$1,371,000) for the construction,
9 reconstruction, improvement, extension, acquisition, alteration,
10 repair, modernization of public school buildings or buildings for
11 school purposes in Harford County, including sites therefor, the
12 cost of acquiring such sites, making site improvements,
13 architectural and engineering services, including preparation
14 of plans, drawings and specifications for such schools and the
15 development of the grounds and landscaping thereof and that all
16 customary appurtenances and recreational and pedagogical equipment
17 for such schools, to be used only for the projects enumerated in
18 the Harford County Capital Budget Five Year Capital Program
19 ("School Projects").

20 b. An amount not exceeding Nine Hundred Thirty-Five
21 Thousand Seven Hundred Fifty Dollars (\$935,750) for the
22 construction, reconstruction, improvement, extension, acquisition,
23 alteration, repair, modernization of libraries in Harford County,
24 including site improvements, architectural and engineering
25 services, including preparation of plans, drawings and specifica-
26 tions for such libraries and the development of the grounds and
27 landscaping thereof and all customary appurtenances and other
28 equipment necessary or required for such libraries, to be used
29 only for the Edgewood Library addition, the Joppa Library and the
30 Jarrettsville-Fallston Area Library ("Library Projects").

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1 c. An amount not exceeding Five Hundred Ninety-Eight
2 Thousand Three Hundred Two Dollars (\$598,302) to be used for the
3 construction, renovation, reconstruction, repair, improvement,
4 extension, site acquisition, alteration, repair and modernization
5 of roads, streets, alleys, bridges, viaducts, highways, over-
6 passes, underpasses, drains, culverts, buildings in Harford
7 County, including expenditures for sites, architectural and
8 engineering services, including preparation of plans, drawings
9 and specifications to be used for the projects designated as
10 Trimble Road, Greenspring Road and Tollgate Building on page 55
11 of the Budget Message of the County Executive of Harford County,
12 Maryland, for the fiscal year 1976-1977 ("Highway Projects").

13 WHEREAS, in accordance with the provisions of Section
14 406 of the Charter of Harford County, Maryland, the Director
15 of Planning has heretofore transmitted to the County Executive
16 the recommendations of the Planning Advisory Board for Capital
17 Improvements during the fiscal year ending June 30, 1977; and

18 WHEREAS, in accordance with the provisions of Section
19 505 of the Charter of Harford County, Maryland, the County
20 Executive has reviewed such recommendations in light of the
21 existing Capital Program, and the County Executive and the
22 Director of Administration have included such recommendations for
23 capital improvements as amended in the proposed 1976-1977 Capital
24 Program which has been submitted to the County Council, and the
25 County Council has adopted a Capital Program and a Capital Budget
26 for the fiscal year ending June 30, 1977; and

27 WHEREAS, as a part of the said Capital Program and the
28 Capital Budget for the fiscal year ending June 30, 1977, it is
29 necessary that Harford County, Maryland, borrow a sum not exceeding
30 Two Million Nine Hundred Five Thousand Fifty-Two Dollars
31 (\$2,905,052) to be used to finance the cost of construction,
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1 renovation, reconstruction, repair, improvement, extension, site
2 acquisition, alteration, modernization of the School Projects,
3 Library Projects and Highway Projects in Harford County; and

4 WHEREAS, Bill No. 76-31 as amended and as vetoed by the
5 County Executive has become law as the Annual Budget and
6 Appropriation Ordinance; and

7 WHEREAS, the County Council of Harford County has
8 authority to incur debts on behalf of the County; and

9 WHEREAS, the County Council of Harford County is hereby
10 authorized to enact legislation adopted in accordance with
11 Section 524 of the Charter of Harford County, Maryland, and other
12 applicable provisions of law to borrow funds and issue debt
13 instruments, and to levy annually ad valorem taxes upon the
14 assessable property within the County sufficient, together with
15 other taxes and other available funds to provide for the payment
16 of the interest on and principal of any bond so issued; and

17 WHEREAS, the proposed indebtedness is within the legal
18 limitation on the indebtedness of Harford County, Maryland; and

19 WHEREAS, it is necessary to provide funds for said
20 School Projects, Library Projects and Highway Projects in Harford
21 County, Maryland; and

22 WHEREAS, at the written recommendation of the County
23 Executive, public hearing and affirmative vote of at least five
24 members of the Harford County Council, the Capital Budget for the
25 year ending June 30, 1977, has been amended.

26 NOW, THEREFORE, in accordance with the provisions of the
27 Charter of Harford County, Maryland:

28 Section 1. *Be It Enacted By The County Council Of Harford County,*
29 *Maryland*, that Harford County, Maryland, is hereby authorized and
30 empowered from time to time to borrow on its full faith and credit
31 Two Million Nine Hundred Five Thousand Fifty-Two Dollars

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1 (\$2,905,052) in the aggregate from appropriate lending
2 institutions in the State of Maryland, the proceeds thereof to
3 be used as provided for in this Act.

4 Section 2. *And Be It Further Enacted*, that Harford County shall
5 issue and sell from time to time upon the full faith and credit
6 of Harford County, Maryland, in the manner hereinafter provided,
7 an amount not exceeding Two Million Nine Hundred Five Thousand
8 Fifty-Two Dollars (\$2,905,052), aggregate principal amount of its
9 notes or other evidence of indebtedness, the net proceeds of such
10 sale to be used to finance the cost of construction, renovation,
11 reconstruction, repair, improvement, extension, site acquisition,
12 alteration and modernization including preparation of plans,
13 drawings and specifications, development of ground and land-
14 scaping thereof and all customary appurtenances, equipment,
15 recreational and pedagogical equipment necessary for the School
16 Projects, Library Projects and Highway Projects. The net
17 proceeds of such notes or other indebtedness may also be used
18 to finance any lawful modification of such Projects or, to the
19 extent then permitted by law, any other project lawfully under-
20 taken by Harford County, Maryland, as may be provided by
21 subsequent resolution or resolutions approved by the Harford
22 County Council.

23 Section 3. *And Be It Further Enacted*, that the notes or other
24 evidence of indebtedness shall be issued from time to time for
25 the School Projects, Library Projects and Highway Projects, but
26 not in an amount exceeding Two Million Nine Hundred Five Thousand
27 Fifty-Two Dollars (\$2,905,052).

28 Section 4. *And Be It Further Enacted*, that the Treasurer of
29 Harford County, Maryland, prior to the issuance of any such notes
30 or other evidence of indebtedness by the County, shall present the
31 terms of such indebtedness to the County Council for approval by
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1 resolution of the County Council prior to the issuance of such
2 notes or other evidence of indebtedness.

3 Section 5. *And Be It Further Enacted*, that such notes or other
4 evidence of indebtedness shall not have a maturity in excess of
5 twelve (12) months from the date of issue. THE TREASURER SHALL
6 NEGOTIATE WITH TWO (2) OR MORE LENDING INSTITUTIONS FOR THE BEST
7 TERMS FOR THE NOTES OR OTHER EVIDENCE OF INDEBTEDNESS.

8 Section 6. *And Be It Further Enacted*, that the notes or other
9 evidence of indebtedness shall bear interest at the rate or rates
10 so negotiated by the Treasurer, and approved by resolution of
11 the County Council of Harford County, and the notes or other
12 evidence of indebtedness when issued, shall be issued in the name
13 of Harford County by the signature of the County Executive of
14 Harford County, Maryland, the corporate seal of the County shall
15 be imprinted on such notes, and such notes or other evidence of
16 indebtedness shall be attested by the manual signature of the
17 Director of Administration of Harford County, Maryland.

18 Section 7. *And Be It Further Enacted*, that immediately after the
19 sale of the notes or other evidence of indebtedness and approval
20 by a resolution of the Harford County Council, the proceeds of
21 sale of such notes or other evidence of indebtedness shall be
22 paid to the Department of the Treasury of Harford County,
23 Maryland. The proceeds of the sale of the notes or other
24 evidence of indebtedness shall be expended only to finance the
25 School Projects, Library Projects and Highway Projects, as
26 defined above. If the funds derived from the sale of the notes
27 or other evidence of indebtedness shall exceed the amount needed
28 for the School Projects, Library Projects and Highway Projects,
29 the excess funds so borrowed and not expended by the County shall
30 be applied by the County in the payment of the notes or other
31 evidence of indebtedness so issued, unless the County Council
32 of Harford County shall adopt a resolution allocating said excess

1 funds to some other program in accordance with the laws of
2 Harford County, Maryland.
3 Section 8. *And Be It Further Enacted*, that it is the intent and
4 sense of the Council that within twelve (12) months from the
5 date this Act becomes law, bonds be sold and issued by Harford
6 County upon the full faith and credit of the County for the
7 purpose of providing funds to finance other capital projects
8 as approved in the Capital Budgets for Harford County, Maryland,
9 for the years ending June 30, 1976, June 30, 1977, and June 30,
10 1978, and to satisfy any notes or other evidence of indebtedness
11 issued pursuant to the terms and provisions of this Act, such
12 bonds to be issued prior to the maturity of any notes or other
13 evidence of indebtedness issued under the provisions of this
14 Act, and until any such bonds are issued, for the purpose of
15 paying interest and principal on any notes or other evidence of
16 indebtedness issued hereunder, there is hereby levied and there
17 shall hereafter be levied in each fiscal year that any of the
18 notes are outstanding, ad valorem taxes on real and tangible
19 personal property and intangible property subject to taxation
20 by the County without limitation of rate or amount and, in
21 addition, upon such other intangible property as may be subject
22 to taxation by the County within limitations prescribed by law,
23 in an amount sufficient together with funds available from
24 other sources, to pay the annual interest on the outstanding
25 notes or other evidence of indebtedness and to pay the principal
26 on the notes or other evidence of indebtedness as they mature;
27 and the full faith and credit and unlimited taxing (provided
28 in the case of the Highway Projects, except taxes on property
29 within the City of Havre de Grace and the incorporated towns of
30 Harford County as prohibited by Section 493 of the Code of Public
31 Local Laws of Harford County, as amended; to the extent said
32 provision continues in full force and effect under the provisions

1 of Section 902 of the Harford County Charter) power of the County
2 are hereby irrevocably pledged to the punctual payment of the
3 principal and interest on the notes and other evidence of
4 indebtedness as and when they mature. Harford County, Maryland,
5 by the passage of this Act, hereby covenants and agrees properly
6 and promptly to perform all other respective acts and duties
7 as defined in the Act for the levy and collection of the
8 aforesaid ad valorem tax upon all the assessable property within
9 the corporate limits of Harford County, Maryland, as the levy
10 and collection of such a tax becomes necessary in order to pay the
11 principal and interest on the notes or other evidence of
12 indebtedness issued hereunder. By this Act, the Harford County
13 Council hereby solemnly covenants and agrees with the holder
14 of the notes or other evidence of indebtedness from time to time
15 to take all action which the Harford County Council may be
16 legally authorized and empowered to take in order to enforce in
17 any year in which any of the notes are outstanding the guarantee
18 of such notes by Harford County, Maryland.

19 Section 9. *And Be It Further Enacted*, that this Act shall take
20 effect sixty (60) calendar days from the date it becomes law.

21 EFFECTIVE: April 15, 1977
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BY THE COUNCIL

Read the third time.

Passed LSD 77-5 February 8, 1977 (with amendments)

~~Failed of Passage~~

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 9th day of February, 1977
at 3:00 o'clock P.M.

Angela Markowski, Secretary



BY THE EXECUTIVE

APPROVED:

[Signature]
County Executive

Date

2-14-77

BY THE COUNCIL

This Bill, having been approved by the Executive and
returned to the Council, becomes law on February 14, 1977.

Angela Markowski
Angela Markowski, Council Secretary

EFFECTIVE DATE: April 15, 1977

ec'd for record 7/29/1977 at 9:00 P.M.
Same day recorded & examined, per
F. Douglas Chilcoat, Clerk